

Fishery Conservation and Management

§ 679.61

(G) The ratio of the number of other salmon to the total round weight of groundfish.

(H) The ratio of total round weight of halibut to the total round weight of groundfish.

(I) The ratio of total round weight of herring to the total round weight of groundfish.

(J) The ratio of the number of king crab to the total round weight of groundfish.

(K) The ratio of the number of *C. bairdi* Tanner crab to the total round weight of groundfish.

(L) Sea surface temperature (where available).

(M) Sea temperature at fishing depth of trawl (where available).

(ii) The identity of the vessels from which the data in paragraph (k)(2)(i) of this section are collected will not be released.

(3) *Competitive harm*. In exceptional circumstances, the owners and operators of vessels may provide to the Regional Administrator written justification at the time observer data are submitted, or within a reasonable time thereafter, that disclosure of the information listed in paragraphs (k) (1) and (2) of this section could reasonably be expected to cause substantial competitive harm. The determination whether to disclose the information will be made pursuant to 15 CFR 4.7.

[61 FR 56431, Nov. 1, 1996, as amended at 61 FR 63761, Dec. 2, 1996; 61 FR 65989, Dec. 16, 1996; 62 FR 60182, Nov. 7, 1997; 62 FR 63891, Dec. 3, 1997; 62 FR 67760, Dec. 30, 1997; 63 FR 11168, Mar. 6, 1998; 63 FR 30409, June 4, 1998; 63 FR 69025, Dec. 15, 1998; 64 FR 20215, Apr. 26, 1999; 65 FR 69485, Nov. 17, 2000; 65 FR 80383, Dec. 21, 2000; 67 FR 4148, Jan. 28, 2002; 67 FR 72611, Dec. 6, 2002; 68 FR 215, Jan. 2, 2003; 68 FR 719, Jan. 7, 2003; 68 FR 15970, Apr. 2, 2003; 68 FR 37096, June 23, 2003; 68 FR 49374, Aug. 18, 2003]

EFFECTIVE DATE NOTE: At 67 FR 79733, Dec. 30, 2002, § 679.50 was amended by revising the section heading and paragraph (c)(4)(i), removing paragraph (c)(6), and adding paragraphs (c)(5) and (d)(5), effective Jan. 29, 2003, through Dec. 31, 2007.

Subpart F—American Fisheries Act Management Measures

SOURCE: 67 FR 79734, Dec. 30, 2002, unless otherwise noted.

EFFECTIVE DATE NOTE: At 67 FR 79734, Dec. 30, 2002, Subpart F was added, effective Jan. 29, 2003, through Dec. 31, 2007.

Sections 679.61(b) and 679.63(c)(2) contain information collection requirements and will not become effective until approved by the Office of Management and Budget.

§ 679.60 Authority and related regulations.

Regulations under this subpart were developed by the National Marine Fisheries Service and the North Pacific Fishery Management Council to implement the American Fisheries Act (AFA) [Div. C, Title II, Subtitle II, Public Law 105-277, 112 Stat. 2681 (1998)]. Additional regulations in this part that implement specific provisions of the AFA are set out at §§ 679.2 Definitions, 679.4 Permits, 679.5 Record-keeping and reporting, 679.7 Prohibitions, 679.20 General limitations, 679.21 Prohibited species bycatch management, 679.28 Equipment and operational requirements for Catch Weight Measurement, 679.31 CDQ reserves, and 679.50 Groundfish observer program. Regulations developed by the Department of Transportation to implement provisions of the AFA are found at 50 CFR part 356.

§ 679.61 Formation and operation of fishery cooperatives.

(a) *Who is liable for violations by a fishery cooperative and cooperative members?* A fishery cooperative must comply with the provisions of this section. The owners and operators of vessels that are members of a fishery cooperative, including vessels under contract to a cooperative, are responsible for ensuring that the fishery cooperative complies with the directed fishing, sideboard closures, PSC limits and other allocations and restrictions that are applicable to the fishery cooperative. The owners and operators of vessels that are members of a fishery cooperative, including vessels under contract to a cooperative, are responsible for ensuring that all fishery cooperative members comply with the directed fishing, sideboard closures, PSC limits and other allocations and restrictions that are applicable to the fishery cooperative.